

HONORABLE JUDGE RICARDO S. MARTINEZ

UNITED STATE DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARTIN ARAGON LERMA,

Defendant

Case No.: 2:24-cr-00045

ORDER CONTINUING TRIAL

This matter comes before the Court on Mr. Lerma's motion to continue the trial in this case, and to set a new pretrial motion cutoff consistent with the new trial date. Having considered the motion and all the files and records herein, the Court finds and rules as follows:

The facts supporting continuing the trial and excluding the consequent delay are set forth in the Motion to Continue, incorporated by this reference, and include the following: (a) the amount of discovery recently disclosed; (b) the significant sentence faced by the defendant as currently charged, (c) the fact discovery is still outstanding, and (d) the need for defense counsel to have an appropriate period to review discovery, consult with their client with the language

ORDER CONTINUING TRIAL - 1

THE SMITH LAW
4301 NE 4th St. PO Box 2767
Renton, WA 98059
sade@thesmithlaw.com
(206) 715-4248
Fax: (250) 900-2664

1 barrier, negotiate with the government, and prepare a defense, and (e) Mr. Lerma has waived his
2 right to a speedy trial.

3 THE COURT THEREFORE FINDS Pursuant to 18 U.S.C Sections
4 3161(h)(7)(B) (iv), based on the facts above, a continuance is necessary because a continuance is
5 necessary because “(iv), failure to grant a continuance...would deny counsel for the defendant or
6 the attorney for the Government the reasonable time necessary for effective preparation, taking
7 into account the exercise of due diligence.”

8 THIS COURT THEREFORE FINDS, in light of the factors above, that it is
9 unlikely that the parties can be reasonably ready to try this matter before December 9, 2024, at
10 the earliest.

11 THIS COURT FURTHER FINDS that all the additional time requested between
12 the current trial date of September 9, 2024, and the new trial date is necessary to provide counsel
13 for the defendant the reasonable time necessary to effectively represent Mr. Lerma, including
14 preparing for trial.

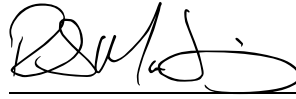
15 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date in this matter
16 will be continued until December 9, 2024.

17 IT IS HEREBY ORDERED, that pretrial motions will be filed no later than
18 October 24, 2024.

19 IT IS FURTHER ORDERED that the time between this date and the new trial
20 date is excluded in computing the time within which a trial must be held pursuant to Title 18,
21 United States Code, Section 3161, et seq.

22 ORDER CONTINUING TRIAL - 2

1 DATED this 15th of August, 2024.

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4 RICARDO S. MARTINEZ
5 UNITED STATES DISTRICT JUDGE
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9 Presented by:

10 s/ Sade' A. Smith

11 Sade' A. Smith

12 WSBA #44867

13 Attorney for Mr. Lerma
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26 ORDER CONTINUING TRIAL - 3

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